

IN THE DISTRICT COURT UNITED STATES FOR THE NORTHERN DISTRICT OF

**FILED**

**WEST VIRGINIA MARTINSBURG**

JUN 14 2018

U.S. DISTRICT COURT-WVND  
MARTINSBURG, WV 25401

**WANDA LETANG,**

**COMPLAINANT,**

**V.,**

**ROBERT L. WILKIE, Jr.,**

**Department of Veterans**

**Affairs Agency et. al.**

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**Docket No.**

3:18cv95

**CIVIL COMPLAINT: TITLE VII**

**42 U.S.C. 2000 et seq.**

**28 U.S.C 1331:**

**Bench Trial Demanded**

**This complaint is for monetary; compensatory; injunctive relief; and other damages is filed pursuant to 28 U.S.C. 1331 and 42 U.S.C. 2000 et seq., Jurisdiction.**

**Count One:**

On or about January 30, 2016 while doing her duties as a nursing assistant, the claimant was exposed to discrimination. Ms. Tetyana Portyanko a probationary nurse at that time accused the claimant, of abuse and neglect, and conduct unbecoming, without any proof whatsoever. The claimant and, coworker reported to Ms. Portyanko that a patient was having chest pain.

Protocol calls for Ms. Portyanko to:

1. Assess the patient.
2. A doctor must be called to evaluate the patient.
3. The emergency department must be called.



Ms. Portyanko's failure, to follow protocol resulted in, an adverse action against the Claimant. This failure caused the claimant irreparable harm, and brings this instant action. In that the claimant an employee of, 9 years' experience was wrongly terminated. When in fact Ms. Portyanko, is in fact the one guilty of abuse and neglect, for not calling a doctor or the ER department, chest pain is serious.

Claimant avers that it is discrimination to allow Ms. Portyanko a probationary employee RN, to charge, and write up, Ms. Letang. When in fact there is no proof whatsoever of any misconduct, except for the word of a probationary nurse. Management has discriminated against Ms. Letang and allowed a probationary period nurse to get away with not following protocol, and VAMC rules governing chest pain.

Due to the fact that, at this time we will never know the outcome, if in fact a doctor, or the ER department had of been called. The adverse action was taken, by the VAMC against the claimant, without the proper professionals being notified. Claimant seeks to be made whole.

**Wherefore** in light of the forgoing Plaintiff seeks the cap in this type of tort, compensatory 300,000 dollars, and 500 an hour in attorney's fees, and any other relief deemed appropriate by this court, and punitive damages in the amount of 2 million dollars, for the willful discrimination against the claimant.

#### **Certificate of Service**

I Wanda Letang, do hereby certify that the original copy of the above referenced complaint was filed with the clerk's office upon the address of also a copy was sent to the defendants upon his address:

A handwritten signature in cursive script, appearing to read "Wanda Letang", with a small asterisk or mark to the left.



Clerk's Office

U.S. District Court

217 West King Street

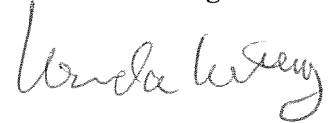
Martinsburg West Virginia 25401

Robert L. Wilkie Jr,

810 Vermont Ave., NW

Washington DC 20420 by U. S. First Class Mail this 13<sup>th</sup> day of June 2018. 28 U.S.C. 1746.

**Wanda Letang**

A handwritten signature in cursive script, appearing to read "Wanda Letang", written in black ink.